

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q68813

Akira HIROSHIGE, et al.

Allowed: August 25, 2006

Appln. No.: 10/087,928

Group Art Unit: 2624

Confirmation No.: 5282

Examiner: Yosef KASSA

Filed: March 05, 2002

For: IMAGE PROCESSING APPARATUS AND RECORDING MEDIUM, AND IMAGE
PROCESSING APPARATUS

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

ATTN: MAIL STOP ISSUE FEE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant makes the following comments on the Examiner's statement of reasons for allowance:

The Examiner's statement should not be misinterpreted as meaning that the identified features are the only patentable feature in any of the claims. The independent claims and the dependent claims include various aspects which provide a separate basis for patentability. In fact, some of the independent claims include other features and not the features emphasized in the Examiner's statement.

The Examiner's statement emphasizes certain aspects of the claims, but each claim should be interpreted using its own precise language, without inferring any particular emphasis from the Examiner's statement. Applicant submits that the scope of the claims should be governed by the actual claim language, not by the Examiner's reasons for allowance. The claims are carefully written to precisely define the bounds of the invention, and people reading these

Comments on Examiner's Statement of Reasons for Allowance
U.S. Appln. No. 10/087,928
Attorney Docket No.: Q68813

remarks hereafter should note that any difference between the Examiner's language and the language of the claims should be resolved by recourse to only the express language of the claims.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application."

Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated August 25, 2006.

Respectfully submitted,

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Date: September 26, 2006

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